

### **REMARKS**

Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

### **Status of the Claims**

Claims 12-22 are pending. Claims 1-11 were previously canceled without prejudice or disclaimer of the subject matter recited therein. Claims 13-14, 16-17 and 20-22 have now been amended to set forth their dependency from independent claim 12. No new matter has been added.

Applicants appreciatively acknowledge the Examiner's allowance of claim 12.

### **Claim Objections**

Claim 22 was objected to for containing informalities. *See* Detailed Action, page 2. The Office Action cites MPEP § 2113 [R1], which discusses the patentability standards for product-by-process claims. *Id.* The Office Action states "since the resulting product appears to be the same the instant claims are anticipated by and/or rendered obvious by the references." *Id.*, page 3.

Applicants respectfully submit that the Office Action does not identify what informalities are contained within claim 22. The Office Action does not set forth any rejection of claim 22, nor identify any of the references to which it alludes as rendering claim 22 obvious.

Applicants submit that claim 22 depends from allowed claim 12, and recites a product produced by the process of claim 12. There is no evidence in the record that shows the product recited in claim 22 as being in the prior art. Accordingly, Applicants respectfully submit that claim 22 is patentable and should be passed to allowance.

Reconsideration of the objection to claim 22 as containing informalities is respectfully requested.

**Rejections under 35 U.S.C. § 112**

Claims 13-21 were rejected under 35 U.S.C. § 112, second paragraph for failing to particularly point out the subject matter of the claimed invention. Specifically, the Office Action notes that claims 13-21 depend from canceled claim 1.

Claims 13-14, 16-17 and 20-21 have been amended to recite their dependency from independent claim 12. Claim 15 depends from claim 14. Claims 18-19 depend from claim 17. Accordingly, Applicants thank the Examiner for pointing out this problem and respectfully submit that claims 13-21 now conform to the requirements of 35 U.S.C. § 112, first paragraph.

Reconsideration and withdrawal of the rejection of claims 13-21 under 35 U.S.C. § 112 is respectfully requested.

**CONCLUSION**

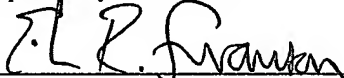
In view of the foregoing it is believed that claims 12-22 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

No fees are believed to be due with the filing of this response. In the event of a fee discrepancy, please charge any fees due in connection with this filing to Deposit Account No. 04-0100 referencing Docket No. 20811/0204481-US0.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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